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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/734,427

12/12/2003

Sundaram Ravikumar

RAV-002 CIP

3870

36822 7590 03/14/2008

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EXAMINER

DEMILLE, DANTON D

ART UNIT

PAPER NUMBER

3771

MAIL DATE

DELIVERY MODE

03/14/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/734,427	RAVIKUMAR ET AL.	
	Examiner	Art Unit	
	Danton DeMille	3771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

Claims 1-5, 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dakin et al in view of Grove et al.

Dakin teaches, for example, in figure 9 an active dynamic system for improving foot mobility for therapeutic massage of the foot including a base 222, a foot rest 220 hingedly coupled 224 to the base 222, an inflatable lifting bladder 214, 216 between the base 222 and the foot rest 220, a plurality of foot massage bladders coupled to the foot rest including at least one top bladder 742 spaced apart from and above at least one bottom bladder 744 and a pressure source 914 selectively coupled to each of the bladders. Dakin teaches column 4, lines 35-46, that the compression bags may be held against the body part by a nylon jacket that may include a zipper and plastic stays to increase rigidity or be made out of rigid, inflexible material to provide structural support. While it is not clear if the nylon jacket is coupled to the foot rest 220 such would have been an obvious provision to secure the foot in place on the foot rest. Grove teaches strap 16 to secure the foot and any sock to the foot rest. A foot with the nylon jacket or sock thereon would be coupled to the foot plate with the strap as taught by Grove. It would have been obvious to one of ordinary skill in the art to modify Dakin to couple the nylon jacket or sock and foot to the foot rest as taught by Grove to prevent relative movement of the foot to the foot rest.

Regarding claim 4, Dakin figure 5 would appear to teach the compression bags to be “disposed adjacent the heel(sic) of the foot”.

Regarding claim 5, Dakin teaches at least one heel bladder as shown in figure 5, at least one instep bladder 742 and at least one sole bladder 744.

Claims 6-11, 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 1 above, and further in view of Roth et al.

Dakin teaches a pressure source for providing a dynamic, cyclical pressure by an electric pump 914. This is provided to create the desired oscillatory pressure. Also is taught a controller 920 for controlling the operation of the device. Dakin teaches individual bladders 742 and 744 and 728. There appears to be no unobviousness to control each of the bladders individually. This would provide better control over the inflation and applying pressure to specific areas of the body. Roth teaches such a convention. It would have been obvious to one of ordinary skill in the art to further modify Dakin to control each bladder individually as taught by Roth to better time the sequence of inflation to accommodate the requirements of each individual patient.

Regarding claims 10 and 11, sensors are conventional to be able to monitor the pressure with a pressurized bladder and would have been an obvious to one of ordinary skill in the art.

Response to Arguments

Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danton DeMille whose telephone number is (571) 272-4974. The examiner can normally be reached on M-F from 8:30 to 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu, can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

14 March 2008

/Danton DeMille/

Danton DeMille
Primary Examiner
Art Unit 3771